

9 May 1997

Re: NEPA Call-In Technical Inquiry 0076 - NTHP v. Blank, Opinion

Dear NEPA Call-In User:

This letter is in response to your April 21, 1997 request for the Opinion of Record for the case, "National Trust for Historic Preservation v. Blanck," Civil Action Number 94-1091. You would like a copy of this Opinion for your files.

NEPA Call-In contacted Mr. Andrew Carroll, Office Manager, Legal Services, National Trust for Historic Preservation, (202) 588-6000, who provided the requested document (enclosed). In this case, a Federal district court determined it does not have the authority under the National Historic Preservation Act to require the U.S. Army to spend additional money to maintain historic property under its control. Mr. Carroll noted the National Trust for Historic Preservation is in the process of appealing the case. Mr. Carroll also provided "Preservation Law Reporter," Volume 15, Number 12, December 1996 (enclosed), which contains an article about Historic Preservation v. Blanck.

The materials in this TI have been prepared for use by GSA employees and contractors and are made available at this site only to permit the general public to learn more about NEPA. The information is not intended to constitute legal advice or substitute for obtaining legal advice from an attorney licensed in your state and may or may not reflect the most current legal developments. Readers should also be aware that this response is based upon laws, regulations, and policies in place at the time it was prepared and that this response will not be updated to reflect changes to those laws, regulations and policies.

Sincerely,

(Original Signed)

NEPA Call-In Researcher